Exhibit J



STATE OF NEW YORK

DEPARTMENT OF CORRECTIONS AND COMMUNITY SUPERVISION

GREEN HAVEN CORRECTIONAL FACILITY 594 RT. 216 STORMVILLE, NY 12582

ANTHONY J. ANNUCCI ACTING COMMISSIONER THOMAS R. GRIFFIN SUPERINTENDENT

MEMORANDUM

TO:	Superintendent Griffin
FROM:	L. Stanaway, IGP Supervisor
SUBJECT:	Initial Superintendent Reviw of Grievance Coded 49 – Staff Misconduct
DATE:	4/21/15
Grievant's N	ame: Burne DIN 97A6087 Loc B2 -2
GRIEVANCE	ENUMBER: GH 79436-15
	a grievance that has been coded as a 49 - Staff Misconduct. Please 24 hours, and note your findings: Superintendent Initial:
•	Date Reviewed: 4/23/K
	I concur with the filing of this grievance as being coded 49. An investigation bycan proceed.
	I DO NOT concur with the filing of this grievance as being coded 49. The following action should be taken:
	This incident has been previously or is currently being investigated By
Please return	the attached to the IGP Supervisor. Thank you.
c! Divers	rry Management (SenTS/12)

INMATE GRIEVANCE RESOLUTION COMMITTEE

TO: BURN	S DIN 9746087 LOC. B2 - 201
FROM: IGRO OFFICE: Inc	oldent date: 4//6 Action Request: Sgnature:
CODE 49 TITLE	DISCRIMINGTION
This notice is to inform you	that your grievance has been received by this office on
It has	speen given the log number GH 79436-1.
Your log number, DIN, and grievance.	cell location must be included on any inquiry made concerning your
	ration into your grievance, you will be scheduled for an IGRC hearing. You do not appeal for the hearing without a legitimate reason, the IGRC will
	as part of a consolidated issue, you may or may not be called for a hearing. by of the grievance committee's decision, and you may appeal any decision in
through the guidance and concluded channels (Informal or formal conditions for submission of this own may result in the dis	nate's Responsibility. An inmate is encouraged to resolve his complaints inselling unit the program area directly affected, or other existing prior to submitting a grievance. Although a facility may not impose preagrievance, the failure of an inmate to attempt to resolve a problem on inissal and closing of a grievance at an IGRC hearing.
Please be advised that your	grievance received on, is being returned to you via callout for reasons. You will be placed on a callout to meet with an IGRC Inmate
No action request, pleas	indicate oneNo incident date noted.
No signature	Non-grievable per Directive #4040
Unable to understand ha	MPH / 1 goog
Other (as indicated below):
	IGP Supervisor Stanaway

cade 49

NEW YORK STATE DEPARTMENT OF CORRECTIONS AND COMMUNITY SUPERVISION GRIEVANCE COMPLAINT

DISCRIMINATION

Grievance No.

79436-15

•	 Green Haven Correctional Facility	1 1 1 1 2 1 2
	<u>;</u>	te 4/2//5
Varne BURN	S Din. No. 9746017 Hou	· /.
	Program	AMPM_
(Please Print or Type - 1	This form must be filled within 21 calendar days	of Grievance Incident)*
escription of Problem: (Please mal	e as brief as possible)	· · · · · · · · · · · · · · · · · · ·
	5/4	
	·	·
Grievant Signature		
Grievance Clerk	Date:	
Advisor Requested Yes	No Who:	
Action requested by inmate:		
This Grievance has been formally re	solved as follows:	APR 2 1 2015
This <u>Informal Resolution</u> is accepted	1 :	
To be completed only if resolved pr	ion to meaning)	•
Grievant signature	Date	ə:
-	earing by the Inmate Grievance Resolution Commi	ttee (IGRC).

*An exception to the time limit may be requested under Directive #4040, section 701.6(g).

HISTORICAL GRVCS 000107

WHITE COPY - IGRC

YELLOW COPY - GRIEVANT

Mama: Mr. Trevok Burns Facility: Green Haven Number: 97-A-6087 Cell Location: B-2-201 Program: Porter Data: April 16, 2015

CRIEVANCE & CHVIL SERVICE LAW COMPLAINT

#79436-15

Re: Formal complaint Under Civil Service Law § 75(1)(2)(3)

APR 2 1 2015

Description of Incident: That on April 16, 2015, between the times of 1:00 p.m. & 1:30 p.m., Mr. Trevor Euros ("Grievant") was proceeding to recreation from E-Block. Upon reaching the yard door Grievant was brdered to display his identification card by Correctional Officer Naggy ("Naggy"). Naggy began esserting an unprofessional, amoving, and threatening from of voice without justification. Naggy derisively asked why Grievent was proceeding to recreation, and he's not entitled aftermoon yard since ha's a Porter. Grievent inquired as to Neggy's reason for rejecting him federal law mendated daily hour exercise (See U.S. Const. Amends I, VII, XIV). Maggy ismediately put on black gloves aggressively stepping towards Grievent stating: "What are you a smart ass ... dumny." Grisvant inhaled a substantial smell of alcohol on his breath in violation of State of New York Department of Correctional Services, Employees' Manual ("Amployees" Manual"), § 2.10. In an effort to exemerbate his opprobrious behavior, Naggy threatened Grievant with physical violence and, administered derogatory racial slure, in violation of Employees' Marmal §§ 2.1, 2.2, 2.8.; see also Corrections Law § 137.5. Naggy repulsively told Griavant that ha b[e]at t[h]e shit out of damb niggers that sue fellow officers. This violated Grievants state and federal constitutional rights prohibiting retaliation for exercising First Amendment right to patition the government; Eighth & Fourteenth Amendment to be free from retellation and cruel and unusual punishment. See Employees' Manuel §§ 2.1, 2.2, 4.8, 2.12; Corrections Lew § 137.5, 138.4. As Grievent was walking away, Naggy continued to threaten Grievant stating there is nothing I can do because his father was a lieutenest in corrections.

Signatures J- 13-2

Date: April 16, 2015

Action Requested: I request a full investigation including the following:

- 1 Naggy be given a Mental Evaluation and Examination, pursuant to Civil Service Rules and Regulations § 21.8(1), as a result of his unprofessional manner showing an aggressive threatening ettitude and antisocial recist behavior, incapable of supervising offenders without abusing their federal and state constitutional rights.
- 2 That pursuant to Correctional Law §138.4, TITLE 7 Correctional Services § 701.10(6)(c)(2)(3), no reprised of any kind shall be taken against Grievant, including but not limited to retaliation of any kind, such as planting weapons, physical and verbal abuse, falsifying misbehavior reports, tainting urine test, unlawful frisk and stelp frisk, and planting drugs upon Grievant

Note: Grievant reasonably concludes that, due to his copious emount of litigations in federal courts, where he successfully prevailed in Travor Burns v. C.O. Moore \$14773, et. al., 99 Civ. 0966(IMM)(S.D.N.Y.); Travor Burns v. Larry Zwillinger, 02 Civ. 5802(IMM)(S.M.Y.); Travor Burns v. Sergeant Trombly, 9:05-Civ-1204(CLS)(N.D.N.Y.); Travor Burns v. G.O. Martinez, et. al., 08 Civ. 4835(LAK)(S.D.N.Y.); Handerson v. Travor Burns, Index No.: 833/2012 (Hon. Christina A. Spipat, J.S.C.)(Suprema Court, Dutchess County), Naggy is retaliating with radial sluws and threats of violence is an officer I successfully pravailed against worked in the block where he's assigned.

forwarded to the below addresses

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State Capital
Albany, New York 12224

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Albany, New York 12226-2050

Mr. William V. Grady, D.A.
Dutchess County District Attorney
236 Main Street
Poughkeepsie, N.Y. 12001

Mr. James Bogin Prisoners' Legal Services of New York 41 State Street, Suite M112 Albany, New York 12207

Governor's Office Executive Chamber State Capital Albany, New York 12224 F.B.I. New York Regional Office 26 Federal Plaza Room 3630 New York, New York 10278-0140

Superintendent, Green Haven

^[1]In the event Naggy engage in any criminal action following this complaint Grievant will immediately file an Accusatory Instrument, Felony Complaint, pursuant C.P.L. §1.20, with Supreme Court, Dutchess County!

code 49

NEW YORK STATE DEPARTMENT OF CORRECTIONS AND COMMUNITY SUPERVISION GRIEVANCE COMPLAINT

Grievance No.

PISCRIMINATION 79436-1.

GREEN HAVEN CORRECTIONAL FACILITY BURNO. 9746027 Housing Unit B2-201 (Please Print or Type - This form must be filled within 21 calendar days of Grievance Incident)* Description of Problem: (Please make as brief as possible) Grievant Signature ____ Grievance Clerk No Who: Advisor Requested Action requested by inmate: APR 2 1 2015 This Grievance has been formally resolved as follows: This Informal Resolution is accepted: (To be completed only if resolved prior to hearing) Grievant signature ___ If unresolved, you are entitled to a hearing by the Inmate Grievance Resolution Committee (IGRC).

HISTORICAL GRVCS 000111

WHITE COPY - IGRC

YELLOW COPY - GRIEVANT

*An exception to the time limit may be requested under Directive #4040, section 701.6(g).

Name: Mr. Trevor Burns Facility: Green Haven Number: 97-A-6087 Cell Location: B-2-201 Program: Porter Date: April 16, 2015

GRIEVANCE & CIVIL SERVICE LAW COMPLAINT

#79436-15

Re: Formal complaint Under Civil Service Law § 75(1)(2)(3)

APR 2 1 2015

Description of Incident: That on April 16, 2015, between the times of 1:00 p.m. & 1:30 p.m., Mr. Travor Burns ("Griavant") was proceeding to recreation from E-Block. Upon reaching the yard door Grievant was ordered to display his identification card by Correctional Officer Naggy ("Naggy"). Naggy began asserting an unprofessional, annoying, and threatening tone of voice without justification. Maggy derisively asked why Grievant was proceeding to recreation, and he's not entitled afternoon yard since he's a Porter. Grievent inquired as to Naggy's reason for rejecting him federal law mandated daily hour exercise (See U.S. Const. Amenda I. VII. XIV). Maggy immediately put on black gloves aggressively stepping towards Grievant stating: "What are you a smart ass ... dumny." Grisvent inhaled a substantial small of alcohol on his breath in violation of State of New York Department of Correctional Services, Employees' Marmal ("Amployees' Manual"), § 2.10. In an effort to exacerbate his opprobrious behavior, Naggy threatened Crievant with physical violence and, administered derogatory racial slurs, in violation of Employees' Manual §§ 2.1, 2.2, 2.8.: see also Corrections Law § 137.5. Naggy repulsively told Grievant that he b[e]et t[h]e shit out of dumb niggers that sue fellow officers. This violated Grievants state and federal constitutional rights prohibiting retaliation for exercising First Amendment right to petition the government; Eighth & Fourteenth Amendment to be free from retaliation and crual and unusual purishment. See Employees' Mamual §§ 2.1, 2.2, 2.8, 2.12; Corrections Law § 137.5, 138.4. As Grievant was walking away, Naggy continued to threaten Grievant stating there is nothing I can do because his father was a ligutement in corrections.

Signature: J-13-2

Date: April 16, 2015.

Action Requested: I request a full investigation including the following:

- 1 Neggy be given a Mental Evaluation and Examination, pursuant to Civil Service Rules and Regulations § 21.8(1), as a result of his unprofessional manner showing an aggressive threatening attitude and antisocial racist behavior, incapable of supervising offenders without abusing their federal and state constitutional rights.
- 2 That pursuant to Correctional Law §138.4, TITLE 7 Correctional Services § 701.10(6)(c)(2)(3), no reprisal of any kind chall be taken against Grievant, including but not limited to retaliation of any kind, such as planting weapons, physical and verbal abuse, falsifying misbehavior reports, tainting urine test, unlawful frisk and strip frisk, and planting drugs upon Grievant

Note: Grievant reasonably concludes that, due to his copious amount of litigations in federal courts, where he successfully pravailed in Trevor Burns v. G.O. Moore \$14773, at. al., 99 Civ. 0966(IMM)(S.D.N.Y.); Trevor Burns v. Larry Zwillinger, 02 Civ. 5802(IMM)(S.M.Y.); Trevor Burns v. Sergeant Trembly, 9:05-Civ-1204(GLS)(N.D.N.Y.); Trevor Burns v. G.O. Martinez, et. al, 08 Civ. 4835(LAK)(S.D.N.Y.); Henderson v. Trevor Burns, Index No.: 833/2012 (Hon. Ciristina A. Sproat, J.S.C.)(Supreme Court, Dutchess County), Naggy is retaliating with radial slurs and threats of violence is an officer I successfully prevailed against worked in the block where he's assigned.

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The Harriman State Compus Bldg. #2
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Albany, New York 12226-2050

Mr. William V. Grady, D.A.

Dutchess County District Attorney
236 Main Street

Poughkeepsie, N.Y. 12501

Governor's Office Executive Chamber State Capital Albany, New York 12224 Mr. James Bogin Prisoners' Legal Services of New York 41 State Street, Suite M112 Albany, New York 12207

F.B.I. New York Regional Office 26 Federal Plaza Room 3530 New York, New York 10278-0140

Superintendent, Green Haven

^[1] In the event Naggy engage in any criminal action following this complaint Grievant will immediately file an Accusatory Instrument, Felony Complaint, pursuant C.P.L. §1.20, with Supreme Court, Dutchess County.

NEW YORK STATE DEPARTMENT OF CORRECTIONS AND COMMUNITY SUPERVISION **GRIEVANCE COMPLAINT**

DISCRIMINATION

Grievance No.

136-15

GN	EEN HAVEN CORRECTIONA		. ,
		Date <u>4/2</u>	2/15
lame <u>BURNS</u>	Din. No. 974 6	6017 Housing Unit_	B2-20,
•	Program	AM	PM
(Please Print or Type - This	form must be filled within 21 ca	lendar days of Grievan	ce Incident)*
escription of Problem: (Please make as	brief as possible)		
	5/4		
<u> </u>			
			·
Grievant			;
Signature			
Grievance Clerki	D	ate:	
Advisor Requested Yes	No Who:		
Action requested by inmate:			
			· · · · · · · · · · · · · · · · · · ·
This Grievance has been formally resolve	ed as follows:	•	APR 2 1 2015
his <u>Informal Resolution</u> is accepted: To be completed only if resolved prier to	hearing)	· · · · · · · · · · · · · · · · · · ·	
, , ,	• 01		
Grievant signature		Date:	
funresolved, you are entitled to a hearin	g by the Inmate Grievance Resolu		

*An exception to the time limit may be requested under Directive #4040, section 701.6(g).

HISTORICAL GRVCS 000115

(49) DISCRIMINATION

Made: Mr. Trevor Burns Facility: Graen Haven Number: 97-A-6087 Cell Location: B-2-201 Program: Forter Date: April 16, 2015

GRIEVANCE & CIVIL SERVICE LAW COMPLAINT

#79436-15

Re: Formal compleint Under Civil Service Law § 75(1)(2)(3)

APR 2 1 2015

Description of Incident: That on April 16, 2015, between the times of 1:00 p.m. & 1:30 p.m., Mr. Travor Burns ("Grievant") was proceeding to recreation from B-Block. Upon reaching the yard door Grievant was ordered to display his identification card by Correctional Officer Naggy ("Naggy"). Naggy began asserting an unprofessional, annoying, and threatening tone of voice without justification. Naggy derisively asked why Grisvant was proceeding to recreation. and he's not entitled afternoon yard since he's a Porter. Grievent inquired as to Maggy's reason for rejecting him federal law mendated daily hour exercise (See U.S. Const. Amends I, VII, XIV). Naggy immediately put on black gloves aggressively stepping towards Grievant stating: "What are you a swart ass ... dumny." Grisvant inheled a substantial smell of alcohol on his breath in violation of State of New York Department of Correctional Services, Employees' Marrial ("Employees' Marrial"), § 2.10. In an effort to exacerbate his opprobrious behavior, Naggy threatened Grievant with physical violence and, administered derogatory racial slure, in violation of Employees' Manual 98 2.1, 2.2, 2.8.; see also Corrections law § 137.5. Naggy repulsively told Grievant that he b[e]at t[h]e shit out of dumb niggers that sue fellow officers. This violated Grievents state and federal constitutional rights prohibiting retaliztion for exercising First Amendment right to petition the government; Eighth & Fourteenth Amendment to be free from retaliation and cruel and unusual punishment. See Employees' Markel §§ 2.1, 2.2, 2.8, 2.12; Corrections Law § 137.5, 138.4. As Grievant was walking away, Naggy continued to threaten Grievant stating there is nothing I can do because his father was a lieutement in corrections.

Signature: J- 70-2
Date: April 16, 2015

Action Requested: I request a full investigation including the following:

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Superintendent, Graen Haven

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STATE OF NEW YORK

DEPARTMENT OF CORRECTIONS AND COMMUNITY SUPERVISION

GREEN HAVEN CORRECTIONAL FACILITY 594 RT, 216 STORMVILLE, NY 12582

ANTHONY J. ANNUCCI ACTING COMMISSIONER THOMAS R. GRIFFIN SUPERINTENDENT

MEMORANDUM

TO:	Superintendent Griffin
FROM:	L. Stanaway, IGP Supervisor
SUBJECT:	Initial Superintendent Reviw of Grievance Coded 49 - Staff Misconduct
DATE:	4/21/15 Jame: <u>Burns</u> DIN 97A 6087 Loc B2 -20,
Grievant's N	ame: <u>Burns</u> DIN 97A 6087 Loc B2 -20,
GRIEVANCI	ENUMBER: GH 79436-15
	a grievance that has been coded as a 49 - Staff Misconduct. Please a 24 hours, and note your findings:
	Superintendent Initial:
d	Date Reviewed: 4/23/K
	I concur with the filing of this grievance as being coded 49. An investigation bycan proceed.
	I DO NOT concur with the filing of this grievance as being coded 49. The following action should be taken:
	This incident has been previously or is currently being investigated By
Please return	the attached to the IGP Supervisor. Thank you.

INMATE GRIEVANCE RESOLUTION COMMITTEE

TO: BURNS	DIN 9746087 LOC. B2 - 201
FROM: IGRO OFFICE: Incleent da	e; 4//6 Action Request: Sgnature:
CODE 49 TITLE:	DISCRIMINGTION
· •	grievance has been received by this office on
	ven the log number GH 7 9 4 3 6 - 1.1
Your log number, DIN, and cell locat grievance.	on must be included on any inquiry made, concerning your
Upon completion of an investigation into According to Directive #4040 if you do not hold a hearing in absentia.	your grievance, you will be scheduled for an IGRC hearing. of appeal for the hearing without a legitimate reason, the IGRC will
If your grievance is numbered as part of However, you will receive a copy of the accordance with Directive #4040.	a consolidated issue, you may or may not be called for a hearing, grievance committee's decision, and you may appeal any decision in
through the guidance and counseling channels (informal or formal) prior to conditions for submission of a grieva	esponsibility. An inmate is encouraged to resolve his complaints unit the program area directly affected, or other existing submitting a grievance. Although a facility may not impose prence, the failure of an inmate to attempt to resolve a problem on and closing of a grievance at an IGRC hearing.
*Notice of Return: Please resubmit	with correction requested.
Please be advised that your grievand one or more of the following reasons Representative to make any necessary	e received on, is being returned to you via callout for You will be placed on a callout to meet with an IGRC Inmate ry corrections.
No action request, please indicat	e oneNo incident date noted.
No signature	Non-grievable per Directive #4040
Unable to understand har dwritin	APR 2 1 2015
Other (as indicated below):	
3	
	IGP Supervisor Stanaway

code

NEW YORK STATE DEPARTMENT OF CORRECTIONS AND COMMUNITY SUPERVISION

GRIEVANCE COMPLAINT

DISCRIMINATION

Grievance No.

79436-15

	GREEN HAVEN CORRECTIONAL I	i	
·		Date 4/	21/15
lameBURN	S Din. No. 97460	\$	•
	Program	AM	PM
		1	
(Please Print or Type	e - This form must be filled within 21 caler	ndar dayş of Grieva	nce Incident)*
escription of Problem: (Please r	make as brief as possible)	- -	
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	İ	1	
		,	· — ·
Grievant Signature			
Grievance Clerk	Dat	e:	,
•	es No Who:	*	•
Action requested by inmate:			
This Grievance has been formal	ly resolved as follows.	.: 	APR 2 1 2015
,			
		<u> </u>	
This <u>Informal Resolution</u> is acce To be completed only if resolve		:	
Grievant			·
signature	· .	Date:	
If unresolved, you are entitled to	a hearing by the Inmate Grievance Resolut		C).
*An exception to the time limit m	nay be requested under Directive #4040, sec	ction 701.6(g).	•

HISTORICAL GRVCS 000121 YELLOW COPY - GRIEVANT Mana: Mr. Trevor Euros Facility: Green Haven Number: 97-A-6087

Cell Location: B-2-201

Program: Porter Data: April 16, 2015

<u> CRIEVANCE & CIVIL SERVICE LAU COMPLAINT</u>

79436-15

Res Formal complaint Under Civil Service Law § 75(1)(2)(3)

APR 2 1 2015

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Signature: J- V-2
Date: April 16, 2015

·

Action Requested: I request a full investigation including the following:

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Superintendent, Green Haven

[1] In the event Naggy engage in any criminal action following this complaint Grievant will immediately file an Accusatory Instrument, Felony Complaint, pursuant C.P.L. §1.20, with Supreme Court, Dutchess County.

Stanaway, Laura A (DOCCS)

From:

Loren, Rebecca A (DOCCS)

Sent: To: Monday, May 18, 2015 8:36 AM Stanaway, Laura A (DOCCS)

Subject:

Burns 97A6087

Per our telephone conversation on 5/18/15. Burns complaint regarding CO Naggy was filed as GH-79436-15 and is pending a Superintendent's response.

Rebecca Loren

Inmate Grievance Program Coordinator

Department of Corrections and Community Supervision
The Harriman State Campus - Building #2,1220 Washington Avenue, Albany, NY 12226
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Corrections and Community Supervision

ANDREW M. CUOMO Governor

ANTHONY J. ANNUCCI Acting Commissioner

To: I.G.R.C. Supervisor

From: Sgt. P. Moreau

Subject: G.H. 79436-15

Date: 5/10/15

I am writing to you in reference to G.H. 79436-14 Inmate Burns was interviewed by me in the counseling area in building 2 at 1:00 P.M. on 5/9/15. Inmate Burns stated to me that the grievance is exactly what happened. There were no names given to me for possible witness interview. Officer Nagy denies all allegations and his to From is enclosed. Burns is a porter on B block and was allegedly trying to go to the yard in the middle of his assigned work module.

Respectfully Submitted,



Corrections and Community Supervision

ANDREW M. CUOMO Governor

ANTHONY J. ANNUCCI Acting Commissioner

To: SET MOREAY
From: Corestonon officer M. NAGY
Subject: Galvance 79436-15
Date: 5-4-15

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If you wish to refer the above decision of th Grievance Clerk. You have seven (7) cale are appealing this decision to C.O.R.C.	Appeal Sta e Superintendent ple ndar days from rece	ease sign belov	v and return th e to file your a	is copy to your Inmate opeal. Please state why you
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Grievant's Signature	*			